

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Implementation of Section 103 of the STELA
Reauthorization Act of 2014
Totality of the Circumstances Test
MB Docket No. 15-216

ORDER

Extended Reply Comment Date: January 14, 2016

Adopted: October 30, 2015

Released: October 30, 2015

By the Chief, Media Bureau:

1. In this Order, we grant in part a request filed by the National Association of Broadcasters ("NAB") and other broadcaster associations to extend the deadlines for filing pleadings in response to the Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding.

2. On October 23, 2015, the Broadcaster Associations filed a motion asking the Commission to extend those deadlines to February 1, 2016 and March 2, 2016, respectively.

1 See Motion for Extension of Time filed by the NAB, ABC Television Affiliates Association, CBS Television Network Affiliates Association, FBC Television Affiliates Association and NBC Television Affiliates ("Broadcaster Associations") in MB Docket No. 15-216 (Oct. 23, 2015) ("Motion for Extension of Time").

2 See Implementation of Section 103 of the STELA Reauthorization Act of 2014, Totality of the Circumstances Test, MB Docket No. 15-216, Notice of Proposed Rulemaking, FCC 15-109 (rel. Sept. 2, 2015). The NPRM seeks comment generally on the totality of the circumstances test, including whether and how the Commission should update that test.

3 See Comment Deadlines Set for Notice of Proposed Rulemaking on Implementation of Section 103 of the STELA Reauthorization Act of 2014, Totality of the Circumstances Test, MB Docket No. 15-216, Public Notice, DA 15-1124 (rel. Oct. 2, 2015).

4 See Motion for Extension of Time.

5 See id. at 5 ("To ensure that television broadcasters have the time needed to evaluate their various bid options, conclude channel sharing agreements, prepare their applications and implement necessary education and compliance processes, the Commission should allow them to focus on auction related issues until after the December 18 deadline [for submitting applications to participate in the auction]").

programmers, filed an opposition to the Motion for Extension of Time.<sup>6</sup> ATVA asserts that broadcasters have had ample notice of this proceeding and that the Commission should not delay retransmission consent reform.<sup>7</sup> We grant the Broadcaster Associations' request in part.

3. As set forth in section 1.46(a) of the Commission's rules, the Commission's policy is that extensions of time shall not be routinely granted.<sup>8</sup> We agree with ATVA that interested parties have had ample notice of this proceeding. Indeed, we note that the Commission specified a 60-day period for initial comments which is double the typical 30-day comment period. Given the importance of the issues in this proceeding, and in light of the intervening holidays, however, we believe that the public interest would be served by extending the reply comment dates. We therefore grant in part the Broadcaster Associations' request for additional time by extending the reply comment date for 14 days, until January 14, 2016.

4. Accordingly, **IT IS ORDERED** that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.61, 0.283, and 1.46, the Motion for Extension of Time filed by the Broadcaster Associations **IS GRANTED IN PART**, and the deadline to file reply comments in this proceeding is extended to January 14, 2016.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake  
Chief, Media Bureau

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<sup>6</sup> See American Television Alliance's Opposition to Motion for Extension of Time in MB Docket No. 15-216 (Oct. 23, 2015) ("Opposition").

<sup>7</sup> *Id.* at 2-3.

<sup>8</sup> 47 C.F.R. § 1.46.